

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CARPENTERS FRINGE BENEFIT )  
FUNDS OF ILLINOIS, *et al.*, )  
                                  )  
                                  Plaintiffs, )  
                                  )                                  CIVIL ACTION  
                                  vs. )  
                                  )                                  NO. 08 C 1161  
SCHECK INDUSTRIAL CORPORATION,)  
a Minnesota corporation, *et al.*, )                                  JUDGE WILLIAM T. HART  
                                  )  
                                  Defendants. )

**PLAINTIFFS' UNOPPOSED MOTION TO REINSTATE**

Plaintiffs, Carpenters Fringe Benefit Funds of Illinois, by and through their attorneys, hereby file this Unopposed Motion to Reinstate their case against Defendant, Scheck Industrial Corporation. In support of their Motion, Plaintiffs state as follows:

Plaintiffs filed the instant lawsuit on February 26, 2008 to recover unpaid contributions, liquidated damages, interest, court costs and attorneys' fees pursuant to ERISA, 29 U.S.C. §§1132, 1145. At the most recent status hearing on June 25, 2008, the parties advised the Court that they were close to settling this matter, and requested that the Court dismiss the case without prejudice, with leave for Plaintiffs to file a Motion to Reinstate by July 25, 2008 if the parties were not able to reach a final settlement agreement. Pursuant to the parties' request, the Court entered such an Order on June 25, 2008.

As of the date of this filing, a settlement in principle has been reached as to all matters in dispute between the parties, but final settlement documents have not been agreed to and executed. Accordingly, Plaintiffs respectfully request that this case be reinstated and that the Court set a thirty (30) day status date for further proceedings.

Respectfully submitted,

/s/ Patrick N. Ryan

Patrick N. Ryan  
Attorney for Plaintiffs  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 2200  
Chicago, IL 60606-5231  
Bar No.: 6278364  
Telephone: (312) 236-4316  
Facsimile: (312) 236-0241  
E-Mail: [pryan@baumsigman.com](mailto:pryan@baumsigman.com)

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that on Wednesday, the 23rd day of July 2008, he electronically filed, **Plaintiffs' Unopposed Motion to Reinstate**, with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Thomas A. Christensen  
Huck, Bouma, P.C.  
1755 S. Naperville Road, Suite 200  
Wheaton, IL 60187

/s/ Patrick N. Ryan \_\_\_\_\_

Patrick N. Ryan  
Attorney for Plaintiffs  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 2200  
Chicago, IL 60606-5231  
Bar No.: 6278364  
Telephone: (312) 236-4316  
Facsimile: (312) 236-0241  
E-Mail: [pryan@baumsigman.com](mailto:pryan@baumsigman.com)

I:\CarpsJ\Scheck Industrial\pltfs. unopposed motion to reinstate.pnr.mgp.wpd